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Federal Agencies

February 7, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

WRITER'S DIRECT NUMBER:
(202) 772-8514

INTERNET ADDRESS:
LHORNER@SKGF.COM

Art Unit 1722

Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/717,623; Filed: November 21, 2003
For: **Hot Runner Nozzle With A Tip, A Tip Surrounding Piece And
An Alignment Piece**
Inventors: *Babin et al.*
Our Ref: 2107.1900001

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. Form PTO/SB/08A (2 pages) and Form PTO/SB/08B (1 page) listing cited documents;
3. Copies of cited documents: BA5-BF5 and CA5;
4. Credit Card Payment Form (PTO-2038) for \$180.00 to cover IDS fee; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
February 7, 2006
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Linda E. Horner

Linda E. Horner
Attorney for Applicants
Registration No. 39,588

LAH/PAS/shr
Enclosures

SKGF_493294.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BABIN *et al.*

Appl. No.: 10/717,623

Filed: November 21, 2003

For: **Hot Runner Nozzle with a Tip, a
Tip Surrounding Piece and an
Alignment Piece**

Confirmation No.: 8621

Art Unit: 1722

Examiner: Timothy W. Heitbrink

Atty. Docket: 2107.1900001

First Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on January 6, 2005, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

02/08/2006 SZENDIE1-00000167 10717623

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Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office

is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

- ☒ 6. English language abstracts of the non-English language documents BA5 is enclosed in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents BA5-BF5 and CA5 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Linda E. Horner

Linda E. Horner
Attorney for Applicants
Registration No. 39,588

Date: *February 7, 2006*

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SKGF_493462.1

Substitute for form 1449/PTO

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number 10/717,623
Filing Date November 21, 2003
First Named Inventor Denis BABIN
Art Unit 1722
Examiner Name Timothy W. Heitbrink
Attorney Docket Number 2107.1900001

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if Known)			
	AA6	4,212,627	07/15/1980	Gellert	
	AB6	4,318,686	03/09/1982	Morgan	
	AC6	4,330,258	05/18/1982	Gellert	
	AD6	4,450,999	05/29/1984	Gellert	
	AE6	5,135,377	08/04/1992	Gellert	
	AF6	5,139,724	08/18/1992	Hofstetter <i>et al.</i>	
	AG6	5,208,228	05/04/1993	Ok <i>et al.</i>	
	AH6	5,238,378	08/04/1993	Gellert	
	AI6	5,518,393	05/21/1996	Gessner	
	AJ6	5,845,853	12/08/1998	Frideman	
	AK6	5,871,785	02/16/1999	Van Boekel	
	AL6	5,955,121	09/21/1999	Gellert <i>et al.</i>	
	AM6	5,984,661	11/16/1999	Vorkoper	
	AN6	6,036,467	03/14/2000	Jameson	
	AO6	6,113,381	09/05/2000	Gellert <i>et al.</i>	
	AP6	6,789,745 B1	09/14/2004	Babin <i>et al.</i>	
	AQ6	6,869,276 B2	03/22/2005	Babin <i>et al.</i>	
	AR6	6,921,257 B2	07/26/2005	Olaru	
	AS6	6,921,259 B2	07/26/2005	Gellert	
	AT6	6,962,492 B2	11/08/2005	Olaru	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	BA5	JP 09-123222 A	05/13/1997	Kazuyoshi		
	BB5	CA 2,190,569	05/18/1998	Gellert <i>et al.</i>		
	BC5	CA 2,261,367 A1	08/08/2000	Gellert <i>et al.</i>		
	BD5	CA 2,358,148 A1	03/04/2003	Olaru		
	BE5	CA 2,473,920 A1	08/28/2003	Babin <i>et al.</i>		
	BF5	WO 2005/090051 A1	09/29/2005	Zoppas <i>et al.</i>		

484171_1.DOC

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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 PATENT & TRADEMARK OFFICE

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² Number ⁴ Kind Code ³ (if known)				

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Examiner Signature		Date Considered	
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PTO/SB/08B (07-05)

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**FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/717,623
Filing Date	November 21, 2003
First Named Inventor	Denis BABIN
Art Unit	1722
Examiner Name	Timothy W. Heitbrink
Attorney Docket Number	2107.1900001/LEH

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T ²
	CAS	Hydraulic Injection Molding Machinery, Cincinnati Milacron pamphlet (1984).	

484173_1.DOC

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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